

MESSAGE NO: 1303215 MESSAGE DATE: 10/30/2001

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-427-078

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1999 TO 05/31/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR SUGAR FROM FRANCE (A-427-078)

MESSAGE NO: 1303215

DATE: 10 30 2001

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 427 - 078

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PERIOD COVERED: 06 01 1999 TO 05 31 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR SUGAR FROM FRANCE  
(A-427-078)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS AND ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT

REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ALL  
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR  
CONSUMPTION

AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF  
ENTRY TO WHICH THE FOLLOWING INFORMATION APPLIES:

SUGAR FROM FRANCE

PERIOD

A-427-078

06/01/1999 - 05/31/2000

LIQUIDATE ALL ENTRIES FOR ALL FIRMS.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF  
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND  
PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS  
OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE  
SUBJECT MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE  
ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE  
PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778  
REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENT AND ASSESS  
INTEREST ON UNDERPAYMENT OF THE REQUIRED AMOUNTS DEPOSITED AS  
ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT  
APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING  
DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY  
ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF  
ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION.  
THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT  
UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH  
PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE  
THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED  
IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS.  
THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS

AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT KATJA KRAVETSKY AT 202-482-3174, AD/CVD ENFORCEMENT 3, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party